

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ALFRED COE,

Plaintiff,

v.

JO ANNE B. BARNHART,
Commissioner of the Social Security
Administration.

Defendant.

Civil Action No. 05-3590

ORDER

June 26, 2006

AND NOW, upon review of the Report and Recommendation ("R&R") of United States Magistrate Judge Timothy R. Rice, dated February 22, 2006 (Docket # 10), to which no objections have been filed, it is hereby ORDERED that:

- 1) The R&R is APPROVED and ADOPTED;
- 2) The plaintiff's motion for summary judgment (Docket # 6) is DENIED; and
- 3) The defendant's motion for summary judgment (Docket # 8) is GRANTED.

BY THE COURT:

/s/ Louis H. Pollak

Pollak, J.